

REMARKS/ARGUMENTS

In the Office Action, the Examiner has taken the position that the claims in the subject application are directed towards three inventions as follows:

- I. Claims 1-15, and 29-41 are drawn towards a hearing aid system and signal processing method for a hearing aid system.
- II. Claims 16-23, and 42-48 are drawn towards a noise reduction unit and method.
- III. Claims 24-28, and 49-52 are drawn towards an adaptive hearing loss compensating apparatus and method.

As such, the Examiner requires: (i) an election of an invention to be examined even though the requirement may be traversed, and (ii) identification of the claims encompassing the elected invention.

In response, the Applicant elects claims directed to invention III, which are claims 24-28, and 49-52. This election is made without prejudice to the Applicant's right to file one or more continuation or divisional applications for the non-elected claims.

It is further respectfully submitted that the search and examination of the claims for the inventions I, II and III can be made without serious burden. See MPEP §803 which states: "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even if it includes Claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Appl. No. 10/733,451
Amdt. dated May 9, 2006
Reply to Office action of April 11, 2006

Should the Examiner believe anything further is desirable in order to place the application in better condition for examination on the merits and allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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